

**Special Meeting Minutes
Friday, September 12, 2008
Meeting Scheduled Start Time: 9:00 AM**

**BOARD OF SUPERVISORS
Maricopa County, Arizona
(and the Boards of Directors of the Flood Control
District, Library District, Stadium District, Improvement
Districts, and/or Board of Deposit)**



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Andrew Kunasek, District 3, Chairman
Max Wilson, District 4, Vice Chairman
Fulton Brock, District 1
Don Stapley, District 2
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

BOS Conference Room
301 W Jefferson, 10th Floor
Phoenix, AZ

BOARD OF SUPERVISORS

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 9:00 AM on Friday, September 12, 2008, in the Supervisors Conference Room with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, Supervisor District 1 (attended telephonically); Max Wilson, Supervisor, District 4 and Mary Rose Wilcox, Supervisor, District 5 (entered late). Absent: Don Stapley, Supervisor, District 2. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; Tom Manos, Chief Financial Officer, and Victoria Mangiapane, Deputy County Attorney.

Elections

1. CANVASS THE ELECTION RETURNS FOR THE SEPTEMBER 2, 2008 PRIMARY ELECTION

Canvass the election returns for the September 2, 2008, Primary Election in accordance with the Official Results prepared by the Maricopa County Elections Department.

The Maricopa County Elections Department has prepared the Official Returns from all county precincts, declaring the vote for the Primary Election held on September 2, 2008. The Elections Department requests that the Board of Supervisors canvass these returns and approve the Official Canvass for this election pursuant to A.R.S. 16-642 through 16-645. The Board of Supervisors is required to canvass these returns within ten days following the Primary election. The Official Canvass is on file with the Clerk of the Board of Supervisors. (C-36-09-001-7-00)

County Recorder Helen Purcell, Elections Director Karen Osborne and Kristi Passerelli, Campaign Finance and Jurisdictional Manager, attended the meeting. Ms. Purcell was recognized by the Chairman and presented an overview of the Primary Election held on September 2, 2008. She reported that out of 1,613,697 registered voters there were 347,456 ballots cast for an overall percentage of 21.53 percent. Supervisor Brock asked if these numbers are historically commensurate and Ms. Osborne replied that they are, in the case of Primary Elections. Ms. Purcell broke down the results by Party affiliation, and provided an overview of the provisional ballots.

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilson
Absent: Stapley, Wilcox

2. DESIGNATE FIRE DISTRICTS WHICH QUALIFY FOR ALTERNATE PROCEDURE FOR ELECTING BOARD MEMBERS/OFFICERS

Designate fire districts within Maricopa County which qualify for alternate procedure for electing fire district board members/officers for terms beginning December 1, 2008. Cancel the November 4, 2008, elections for fire district board member/officers in those qualifying districts.

The Arizona Legislature offers an alternate procedure for electing fire district officers and members of fire district governing boards (A.R.S. § 48-802D). When only one person, or if no person, has filed a nomination petition for each office to be elected at the General Election, the County Board of Supervisors is authorized to cancel the election. The Board of Supervisors is also authorized to appoint persons who filed a nomination petition to serve as board member/officer for the respective four or two year terms as of August 6, 2008. In addition, as of August 20, 2008, the filing deadline for fire district write in nomination papers (A.R.S. § 16-311), several fire districts in Maricopa County qualified for this action, as reflected on the 2008 List of Fire Districts Qualifying for Alternate Election Procedures which is on file with the Clerk of the Board of Supervisors and included in the board materials. The November 4, 2008, nonpartisan election for fire district governing board members and officers in these fire districts is canceled. In November, 2008, the board of supervisors will appoint those candidates who filed nomination petitions or write in nomination papers on or before August 20, 2008, to serve the specified terms as fire district board members and officers in these districts, terms to begin December 1, 2008. This item was continued from the August 22, 2008 meeting. (C-36-09-003-7-00)

The Clerk announced two changes to the list of Fire District elections to be canceled. She said the Sun City West Fire District election had become competitive and would not be canceled. The other change to the list was that the write-in candidate for the Sun Lakes Fire District election had withdrawn. The motion for this item was to approve as amended.

Motion to amend by: Supervisor Wilson, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilson
Absent: Stapley, Wilcox

Superintendent of Schools

3. CANCELLATION OF SCHOOL DISTRICT GOVERNING BOARD ELECTIONS

Pursuant to A.R.S. §15-424(D), cancel the elections for the attached list of governing board positions in which only one person filed a nomination petition or a nomination paper as a write-in candidate. Also, declare vacant the governing board positions listed on the attachment for which no person filed nominating petitions and allow the Maricopa County Superintendent of Schools (MCSOS) to appoint in accordance with A.R.S. §15-302(A).

Per A.R.S. §15-424 (D), if only one person files or no person files a nominating petition or nomination paper for a write-in candidate for an election to fill a district office, the Board of Supervisors no earlier than seventy-five days before the election may cancel the election for the position and appoint the person who filed the nominating petition to fill the position.

If no person files a nominating petition for an election to fill a district office, the Board of Supervisors no earlier than seventy-five days before the election may cancel the election for that office and that office is deemed vacant and shall be filled as provided in A.R.S. §15-302.

Several school district elections in Maricopa County qualify for this action, as reflected on the 2008 List of Requested Governing Board Election Cancellations which is on file with the Clerk of the Board of Supervisors and included in the board materials. A person who is appointed pursuant to this subsection is fully vested with the powers and duties of the office as if elected to that office. In November, 2008, the Board of Supervisors will appoint those candidates who filed nomination petitions or write in nomination papers on or before August 20, 2008, to serve the specified terms as school district governing board members in these districts, terms to begin January 1, 2008. This item was continued from the August 22, 2008 meeting. (C-37-09-001-M-00)

~ Supervisor Wilcox entered the meeting ~

The Clerk announced two changes to the list of School District elections to be canceled. She said the Agua Fria High School District election had become competitive and would not be canceled. The second change was that the two-year position in the Union Elementary School District election would not be canceled but the four-year position would be canceled. The motion for this item was to approve as amended.

Motion to amend by: Supervisor Wilson, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Human Services

4. ADMINISTRATIVE CORRECTION TO APPLICATION AND ACCEPTANCE OF LTAF GRANT

Approve an Administrative Correction to the action taken on September 3, 2008 (C-22-09-095-G-00) whereby the Board approved the application and acceptance of grant funds from Local Transportation Assistance Fund II, in the not-to-exceed amount of \$449,463 for Special Transportation Services for the grant award period of July 1, 2008 through June 30, 2009. This correction states that the funds will come from the Arizona Department of Transportation (ADOT), under the Local Transportation Assistance Fund II, and go to Maricopa County, Human Services Department who will distribute these funds county-wide depending on the needs of the recipients. (C-22-09-095-G-01)

The Clerk explained that the reason for this item was due to some technical errors in the language.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board